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13  
14 **UNITED STATES DISTRICT COURT**  
15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

16 PACIFIC COAST FEDERATION OF  
17 FISHERMEN’S ASSOCIATIONS, et al.,  
18 Plaintiffs,

19 v.

20 GINA RAIMONDO, in her official  
21 capacity as Secretary of Commerce, et  
22 al.,  
23 Defendants.

24  
25 THE CALIFORNIA NATURAL  
26 RESOURCES AGENCY, et al.,  
27 Plaintiffs,

28 v.

GINA RAIMONDO, et al.,  
Defendants.

Case No. 1:20-cv-00426-DAD-EPG  
Case No. 1:20-cv-00431-DAD-EPG

**STIPULATION TO EXTEND BY TWO  
WEEKS THE DEADLINES FOR RESPONSES  
TO PLAINTIFFS’ MOTIONS TO  
COMPLETE AND/OR SUPPLEMENT THE  
ADMINISTRATIVE RECORDS AND  
PLAINTIFFS’ REPLIES**

1 This stipulation is entered between the parties for an extension of two weeks for Federal  
2 Defendants to respond to Plaintiffs' motions in *Pacific Coast Federation of Fishermen's*  
3 *Associations v. Raimondo* ("PCFFA"), Case No. 1:20-cv-00431-DAD-EPG, to complete the  
4 administrative records or, in the alternative, supplement the administrative records (ECF 224),  
5 and in *California Natural Resources Agency v. Raimondo* ("CNRA"), Case No. 1:20-cv-00426-  
6 DAD-EPG (ECF 149, ECF 158), to complete and supplement the records (collectively,  
7 "Plaintiffs' Motions"), and corresponding two-week extensions for the deadlines for Intervenor-  
8 Defendants' responses as well as any replies by Plaintiffs.

### 9 RECITALS

10 WHEREAS, on September 23, 2020, the parties stipulated to a schedule for Federal  
11 Defendants to produce the administrative records of the United States Fish and Wildlife Service  
12 ("FWS"), the National Marine Fisheries Service ("NMFS"), and Bureau of Reclamation  
13 ("BOR") for these cases, *CNRA*, ECF 142; *PCFFA*, ECF 217, and the stipulation established a  
14 meet and confer process regarding the submitted administrative records and a briefing schedule  
15 for any motions to supplement and/or complete the records;

16 WHEREAS, in accordance with the parties' stipulation, Federal Defendants submitted  
17 the three agencies' respective administrative records in these cases on September 23, 2020,  
18 *CNRA*, ECF 143; *PCFFA*, ECF 218, and after receiving the records, Plaintiffs in both cases and  
19 Intervenor-Defendants identified documents and categories of documents that they wished the  
20 agencies would include in the records, the parties met and conferred, and in an effort to narrow  
21 the scope of the dispute, Federal Defendants agreed to add certain, but not all, of these  
22 documents to the records;

23 WHEREAS, on December 18, 2020, Plaintiffs in *CNRA* and *PCFFA* filed separate  
24 motions to complete and/or supplement the administrative records along with memorandums of  
25 law and exhibits, *CNRA*, ECF 149-155; *PCFFA*, ECF 224-239;

26 WHEREAS, under Executive Order 13390 (Protecting Public Health and the  
27 Environment and Restoring Science To Tackle the Climate Crisis, 86 Fed. Reg. 7,037 (Jan. 25,  
28 2021)), FWS, NMFS, and the BOR are currently reviewing the 2019 biological opinions for the

1 Long-Term Operations of the Central Valley Project and State Water Project (“CVP”)  
2 challenged in these cases, consistent with the President’s direction in that Executive Order<sup>1</sup>;

3 WHEREAS, on June 15, 2021, the Court most recently extended the due dates for  
4 Federal Defendants’ response to Plaintiffs’ Motions to June 28, 2021, the due date for  
5 Intervenor-Defendants’ responses to Plaintiffs’ Motions to July 2, 2021, and the due date for any  
6 replies by Plaintiffs to July 23, 2021 (*CNRA*, ECF 177, *PCFFA*, ECF 265);

7 WHEREAS, Federal Defendants are still evaluating Plaintiffs’ Motions;

8 WHEREAS, Federal Defendants intend to move shortly, but not on or before July 11,  
9 2021, for a stay of these cases to facilitate review of the 2019 biological opinions under  
10 Executive Order 13990 in order to conserve judicial resources, and Federal Defendants are still  
11 attempting to reach agreement with the parties on such a stay. This extension will allow the  
12 parties additional time to discuss whether the parties can reach agreement about a potential stay  
13 of litigation before Federal Defendants file a motion for stay; and

14 WHEREAS, any party may move for emergency relief during the two-week extension  
15 stipulated to here, and any party may oppose such a motion.

#### 16 **STIPULATION**

17 Now therefore, counsel for Federal Defendants, Plaintiffs, and Defendant-Intervenors  
18 hereby agree and stipulate, subject to approval by the Court, that: (1) the due date for Federal  
19 Defendants’ responses to Plaintiffs’ motions to complete and/or supplement the administrative  
20 records is extended to July 12, 2021; (2) the due date for Intervenor-Defendants’ responses to  
21 Plaintiffs’ Motions is extended to July 16, 2021; and (3) the due date for Plaintiffs’ replies is  
22 extended to August 6, 2021.

23  
24 Respectfully submitted,

25 Dated: June 25, 2021

JEAN E. WILLIAMS

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27 <sup>1</sup> See The White House, *Fact Sheet: List of Agency Actions for Review*,  
28 <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/> (last visited June 24, 2021).

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Dated: June 25, 2021

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Dated: June 25, 2021

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Dated: June 25, 2021

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Dated: June 25, 2021

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Stipulation to Extend Briefing Deadlines for Plaintiffs' Record Motions  
Case Nos. 1:20-cv-00426-DAD-EPG; 1:20-cv-00426-DAD-EPG

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Dated: June 25, 2021

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Dated: June 25, 2021

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Water Company; Meridian Farms Water Company; Henry  
D. Richter, Et Al.; Howald Farms, Inc.; Oji Brothers Farm,  
Inc.; Oji Family Partnership; Carter Mutual Water  
Company; Windswept Land And Livestock Company;  
Maxwell Irrigation District; Beverly F. Andreotti, Et Al.;  
Tisdale Irrigation And Drainage Company; Provident  
Irrigation District; Princeton-Codora-Glenn Irrigation  
District; And Tehama-Colusa Canal Authority*

Dated: June 25, 2021

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Dated: June 25, 2021

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Dated: June 24, 2021

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Stipulation to Extend Briefing Deadlines for Plaintiffs' Record Motions  
Case Nos. 1:20-cv-00426-DAD-EPG; 1:20-cv-00426-DAD-EPG

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Dated: June 25, 2021

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Dated: June X, 2021

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**ORDER**

Pursuant to the Parties' Stipulation, the court hereby orders as follows:

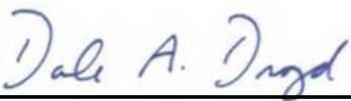
(1) the due date for Federal Defendants' responses to Plaintiffs' motions in *PCFFA v. Raimondo*, Case No. 1: 20-cv-00431-DAD-EPG, to complete the administrative records or, in the alternative, supplement the administrative records (ECF 224), and in *CNRA v. Raimondo*, Case No. 1:20-cv-00426-DAD-EPG (ECF 149; ECF 158), to complete and supplement the records, is July 12, 2021;

(2) the due date for Intervenor-Defendants' responses to Plaintiffs' Motions is July 16, 2021; and

(3) the due date for Plaintiffs' replies is August 6, 2021.

IT IS SO ORDERED.

Dated: **July 1, 2021**

  
UNITED STATES DISTRICT JUDGE